

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

USA ex rel RAYMOND JACOBS, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 04-817-JJF
 :
 COMMISSIONER SOCIAL SECURITY :
 ADMINISTRATION, :
 :
 Defendant. :

ORDER

WHEREAS, the Court issued an Order dated July 22, 2005, requiring Plaintiff to show cause within twenty days why the above-captioned action should not be dismissed for failure to serve process within 120 days of the filing the Complaint pursuant to Federal Rule of Civil Procedure 4(m);

WHEREAS, Plaintiff has failed to file a response to the Court's Order;

NOW THEREFORE, IT IS HEREBY ORDERED this 22 day of August 2005, that the above-captioned action is **DISMISSED WITHOUT PREJUDICE**.


UNITED STATES DISTRICT JUDGE